

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF NORTH CAROLINA

CHADNEY DEVERICH STANBACK,)
)
Petitioner,)
)
v.) 1:19CV966
) 1:16CR423-1
UNITED STATES OF AMERICA,)
)
Respondent.)

ORDER

The Recommendation of the United States Magistrate Judge was filed with the Court in accordance with 28 U.S.C. § 636(b) [Doc. #88] and, on September 14, 2022, was served on the parties in this action [Doc. #89]. Petitioner timely filed Objections to the Magistrate Judge's Recommendation. [Doc. #90.]

The Court has appropriately reviewed the portions of the Magistrate Judge's Recommendation to which objection is made and has made a de novo determination in accord with the Magistrate Judge's report. The Court therefore adopts the Magistrate Judge's Recommendation.

IT IS THEREFORE ORDERED that the Motion to Dismiss [Doc. #80] is GRANTED and that the Section 2255 Motion [Doc. #72] is DISMISSED. Finding no substantial issue for appeal concerning the denial of a constitutional right affecting the conviction, nor a debatable procedural ruling, a certificate of appealability is not issued.

A Judgment dismissing this action will be entered contemporaneously with this Order.

This the 17th day of October, 2022.

/s/ N. Carlton Tilley, Jr.
Senior United States District Judge